



April 8, 2020

Dr. Cameron Kaiser
Riverside County Health Officer
Riverside County Department of Public Health
4065 County Circle Dr.
Riverside, CA 92503
Via Facsimile: (951) 358-4529

Re: COVID-19 Public Health Hazard at Amazon LGB3 Fulfillment Center in Eastvale

Dear Dr. Kaiser,

The Warehouse Worker Resource Center (WWRC) writes to submit a complaint with the Riverside County Department of Public Health regarding the public health hazard posed by inadequate COVID-19 control and prevention measures at the Amazon LGB3 Fulfillment Center, located at 4950 Goodman Road, Eastvale, CA 91752.

WWRC is a 501(c)(3) nonprofit organization located in Ontario, California that supports workers in the warehouse and supply chain sectors through education, advocacy and action. We have heard from numerous employees at Amazon LGB3 that the company is taking inadequate steps to prevent the transmission of COVID-19 among its very large workforce, including failing to respond adequately to at least three confirmed employee cases of COVID-19 to date.

Employees have contacted Cal/OSHA for assistance with workplace safety concerns, but many are just as concerned about COVID-19 transmission in the workplace threatening the health of their families and broader community. Some employees have also complained about the “non-essential” nature of many of the goods they are moving, questioning the justification for Amazon LGB3’s continued operational scale despite the public health hazards it entails.

Over 540 employees have signed a petition demanding that the facility temporarily close and be properly cleaned, and that workers be compensated for time away from work due to closure.¹ A copy of the petition is attached. These employees are concerned about the health of themselves and their community across the Inland Empire.

Public Health Implications of COVID-19 at the Amazon LGB3 Fulfillment Center

With an average of approximately 3,000 employees working on-site, Amazon's LGB3 Fulfillment Center is one of the largest worksites in the county. The total number of employees potentially exposed to COVID-19 and dispersed in the community is likely much higher, however, due to a high turnover rate that has only been exacerbated by current conditions. A recent report by the National Employment Law Project found that counties hosting Amazon fulfillment centers have employee turnover rates in the warehouse sector that are much higher than the average rate of turnover for warehouse workers in California and workers in other industries overall in the state. In Riverside County in 2017, home of six Amazon Fulfillment Centers, warehouse jobs turned over more than once per year on average, resulting in a 106.5% turnover rate.² Moreover, in recent weeks Amazon has been in the process of hiring over 100,000 new employees to help handle the increased business created by the crisis,³ and employees at LGB3 have noticed significant numbers of new hires in the building.

Amazon has 14 major facilities in the Inland Region of San Bernardino and Riverside Counties. Workers are moved from facility to facility, across the region, leading to potential cross-contamination. Many workers commute long distances to the warehouse. In addition, workers report especially high turnover in recent weeks due to the chaos created by the COVID-19 situation in the warehouse and the community.

The facility, one of Amazon's largest in the world, sends truckloads of goods to sortation centers in San Bernardino and Moreno Valley every day, from which they go on truck, rail or plane to postal facilities, UPS hubs and Amazon delivery stations across the country. Each of those workers in turn touch hundreds or thousands of products, mailboxes and doorknobs each day –

¹ IE Amazonians Unite, "Amazon LGB3 – Close, Clean, and Paid Leave!", https://docs.google.com/forms/d/e/1FAIpQLScBtWjPTeXO3CkBVEst-a_HS6k2FtzQfeb85IdJDOa0QLoulg/viewform.

² National Employment Law Project, *Amazon's Disposable Workers: High Injury and Turnover Rates at Fulfillment Centers in California*, March 2020, <https://www.nelp.org/publication/amazons-disposable-workers-high-injury-turnover-rates-fulfillment-centers-california/>.

³ Bloomberg, "Amazon's Covid Hiring Boom Has Applicants Packed Into Job Fairs With No Special Precautions," April 1, 2020, <https://www.bloomberg.com/news/articles/2020-04-01/amazon-s-hiring-spree-followed-no-special-coronavirus-precautions>.

endangering the critical nexus of supply chain and postal workers who reach every home in the nation daily.

COVID-19 is known to stay infectious for 72 hours on plastic, the material in which most of these goods are packaged. Of all the kinds of facilities to have an infectious disease outbreak, Amazon LGB3 is one which could have the broadest and most voluminous impacts due to the scale of the facility and the breadth of the company's delivery footprint.

Inadequate COVID-19 Prevention and Control Measures at Amazon LGB3

Reports to WWRC from current Amazon LGB3 employees indicate that the company's COVID-19 prevention efforts over the past several weeks, and its response following confirmed employee infections more recently, are inadequate to appropriately address the hazard. Amazon has implemented numerous procedures to try to reduce the risk, but many fall short of relevant CDC guidance or are not implemented effectively. This includes:

- **Keeping affected work areas and the facility open after three confirmed COVID-19 employee cases.** After suspected or confirmed employee cases, CDC guidance recommends closing off areas visited by the ill employees and waiting "24 hours or as long as practical" before cleaning and disinfecting. In a building with as much circulation of goods and employees as LGB3, the affected area may be most of the facility. LGB3, however, did not temporarily close the facility to isolate the hazard and sanitize the building. Employees who worked near the confirmed cases also report that even those immediate areas were not shut down for any significant period of time.
- **Delays and inadequate information in notifying employees of confirmed COVID-19 cases.** There appears to have been a significant delay from the time management first knew of confirmed COVID-19 cases and when they notified employees. Amazon LGB3 did not broadly notify employees of confirmed COVID-19 cases until a text message announcement on Sunday, March 29th alerted everyone to two confirmed cases. However, reports from employees who worked in the same areas as the infected employees, along with posts on social media, indicate that managers knew about the first case 5-7 days earlier. Amazon told employees it had notified individuals believed to be in direct contact with the sick employees, but in a large facility like LGB3 with thousands of people and items circulating, the potential exposure was likely much broader.

This lack of transparency prevented employees from being able to take informed preventative measures, such as increased vigilance with infection control protocols or staying home if they or a household member belonged to a vulnerable group. This

worrisome pattern appears to be continuing. Amazon LGB3 sent a text message to employees at 7:30 p.m. on April 7th, announcing a third confirmed employee case of COVID-19. However, the L.A. Times had reported on a third case at LGB3 a full 5 days earlier on April 2nd.⁴

- **Inadequate sanitation practices to prevent the spread of COVID-19 on surfaces.** CDC guidance recommends avoiding employees using equipment touched by others if possible, and to clean and disinfect equipment before and after use. Depending on their position, Amazon LGB3 employees touch a variety of equipment used by others on previous shifts, such as scanner guns, touchscreens, keyboards, totes, box cutters, and carts. Many employees report being given only a single Clorox wipe at the beginning of their shifts to sanitize their whole work area, with no instructions or supplies given to sanitize at the end of their shifts. Hundreds if not thousands of plastic yellow bins are also used to move goods along conveyor belts extensively throughout the warehouse while being touched by many workers. Yet employees report not seeing evidence of these bins being sanitized regularly.
- **Inadequate provision of Personal Protective Equipment (PPE) and supplies.** Most LGB3 employees physically handle many hundreds of items per shift, which have often been handled by other employees, making proper hand sanitation practices paramount to avoiding COVID-19 transmission. Employees are not provided disposable gloves, but instead have only regular cloth and rubber work gloves, of which they can typically get no more than two pairs per week. The cloth material is an inadequate barrier against infection. Employees also report having no sanitation supplies around their workstations to disinfect their gloves, and no sanitizer for their hands either. Hand sanitizer is only at restrooms and specific places like break rooms, and has reportedly been running out frequently. Restrooms are often a 3-5 minute walk away, making washing with soap and water an impractical alternative for regular disinfection.

Up until the week of April 6, 2020, warehouse workers were not provided with face masks unless they reported being sick, despite the growing COVID-19 risk and confirmed workplace cases.

- **Enforcing demanding performance quotas that prevent employees from following best practices to avoid COVID-19 transmission.** Workers are not given sufficient time to wash their hands or sanitize, in addition to their regular job duties. Restrooms with washing facilities are often 3-5 minutes away for many employees, and many warehouse

⁴ Los Angeles Times, "Employees at 6 Amazon facilities in Southern California have tested positive for coronavirus," April 2, 2020, <https://www.latimes.com/business/technology/story/2020-04-02/amazon-employees-at-6-facilities-in-southern-california-have-tested-positive-for-coronavirus>.

workers find it difficult to meet demanding and inflexible daily performance quotas if restroom breaks are taken, much less additional time for regular hand washing. Although some workers have been told performance targets are being relaxed, others still experience the same quota demand. For example, one employee reports she still must meet her usual quota to stow 200 items per hour, and 1200 items by the end of her shift. If a new policy of reducing quotas exists, it has not been communicated clearly enough and workers report still not having adequate opportunity for regular handwashing within workload constraints without risking discipline and job loss for falling behind.

- **Ineffective implementation of social distancing procedures.** Amazon and LGB3 have made numerous policy changes that are supposed to increase social distancing in the workplace, including eliminating large daily team “stand-up” meetings, staggering shift changes, and reducing seating in break rooms. However, employees report that social distancing is still not implemented effectively, with people piling up in restrooms and break rooms, groups forming during shift change and elsewhere, and many jobs requiring working within less than the 6-foot personal distance recommended by the CDC. In some areas the crowding appears to be getting worse as Amazon LGB3 is increasing hiring to keep up with demand.
- **Strict paid sick leave policies that may discourage sick employees from staying home.** Amazon states it has a policy of providing up to two weeks of paid sick leave for employees with COVID-19 or on required quarantine. However, some employees have been told that they must be officially diagnosed with COVID-19 or have a doctor’s note to access this benefit. This runs counter to CDC recommendations and is likely to lead to many employees with mild symptoms who are contagious remaining at work because they cannot afford to stay home without pay. Indeed, attorneys general in 14 states, including California Attorney General Xavier Becerra, recently sent a letter to Amazon urging the company to provide more generous paid leave, calling the current policy “inadequate to protect the public health during the developing COVID-19 crisis.”⁵
- **Inadequate temperature screening procedures in light of confirmed employee COVID-19 cases.** On April 2, LGB3 began taking employees’ temperatures before entering the work area. Everyone is required to have their temperature taken before working at the beginning of shift, but multiple workers have reported that employees arriving later than usual shift time were not screened for temperature before entering, creating a gap in this preventative measure that has made some employees feel less confident about the diligence of control measures overall.

⁵ Massachusetts Office of the Attorney General, “Request for Adoption of Broader Sick Leave during COVID-19 Crisis,” March 25, 2020, available at: <https://oag.ca.gov/system/files/attachments/press-docs/Amazon%20WF%20COVID%20sick%20leave%20letter%20%283-25%29.pdf>.

Amazon has shown a pattern in recent weeks of delaying and deferring information about potential infections, while failing to adequately and proactively address the threat to workers and public health presented by growing COVID-19 infections in its workplaces. In light of its significant public health impact on the local community, we should expect Amazon to be doing everything in its power to limit the spread of COVID-19, including slowing down, cleaning up and looking out for the public. What we see is Amazon ramping up hiring to take up the surging consumer demand created by the COVID-19 pandemic and its fallout.

The efforts Amazon has made to stop COVID-19 transmission have largely come after worker and public scrutiny, and appear to remain inadequate, piecemeal and inconsistent. The fact that a trillion-dollar company appears to have been slow in protecting workers and consumers at one of its largest facilities is unacceptable, and should raise concerns about COVID-19 infection control across its more than 30 facilities in California. Employees report that Amazon continues to ship non-essential goods out of LGB3 every day, which is even more reason to scrutinize the care the company gives to protect the health of its workers, community and customers.

Riverside County Health Officer's Broad Power to Protect the Community

County public health departments, along with the California Department of Public Health, have broad “police powers” during times of emergency to implement measures necessary to protect the public from dire threats, such as the spread of pandemic COVID-19 in the community. California Health & Safety Code § 120175 requires that a local health officer “knowing or having reason to believe” that cases of a disease such as COVID-19 “exists, or has recently existed, within the territory under his or her jurisdiction, shall take measures as may be necessary to prevent the spread of the disease or occurrence of additional cases.” (emphasis added).

During an emergency such as the COVID-19 pandemic, the state at large has “full justification for the measures taken to control the menacing condition, and private interests must be held wholly subservient to the right of the state to proceed in such manner as it deems appropriate for the protection of the public health or safety.” *Farmers Ins. Exch. v. Cal.*, 175 Cal. App. 3d 494, 502 (1985) (citing *House v. L.A. Cty. Flood Control Dist.*, 25 Cal.2d 384, 391 (1944)).

Along with the over 500 employees who signed a petition demanding that Amazon LGB3 close, clean, and provide paid leave, and the numerous employees who have spoken with us directly, the Warehouse Worker Resource Center strongly urges you to immediately and thoroughly investigate the serious public health threat posed by the alleged inadequate COVID-19 mitigation practices at Amazon LGB3.

Amazon LGB3 employees, their families, and communities are counting on you to protect their health during this unprecedented emergency. Such extraordinary conditions may require extraordinary measures, and we urge you to use the full extent of your unique emergency authority to ensure that one of the very largest worksites in our community does not become a source of widespread COVID-19 transmission.

Several current Amazon LGB3 employees are willing to speak confidentially with investigators about the conditions and practices in their workplace, and we urge you to contact us to arrange to speak with them. We request that you keep confidential the identity and contact information of every employee you interview to help avoid employer retaliation.

To contact potential employee witnesses or for any questions regarding this complaint, please contact me at [REDACTED] or [REDACTED]. Thank you for your prompt and immediate attention to this serious matter.

Sincerely,



Timothy Shadix, Esq.
Legal Director, Warehouse Worker Resource Center

Cc:

Michael A. Hestrin, District Attorney
Riverside County District Attorney's Office

Assembly Member Sabrina Cervantes
California State Assembly, District 60

Riverside County Board of Supervisors
V. Manuel Perez, Fourth District, Chair
Karen Spiegel, Second District, Vice Chair
Kevin Jeffries, First District
Chuck Washington, Third District
Jeff Hewitt, Fifth District

Senator Richard D. Roth
California State Senate, District 31

Dr. Sonia Y. Angell
State Public Health Officer and Director,
California Department of Public Health

Attachment:

**Employee Petition to Amazon LGB3 Management
Regarding COVID-19 Hazards**

Amazon LGB3 — Close, Clean & Paid Leave!

Multiple Amazon locations have had confirmed cases of COVID-19. Amazon expects associates to risk both their and their families' safety by continuing to come into work.

Amazon is not effectively communicating with ALL employees during this global pandemic.

At LGB3 specifically, social distancing it is almost impossible. Amazon is trying to take precautions to slow the spread of COVID-19, but the fact of the matter is we work with so many people every single day that we are in constant danger.

Amazon must shut down temporarily, paying workers at LGB3 while the facility is shut and cleaned.

We the Amazonians United at LGB3 demand:

- 1.) The facility must be shut down for a minimum of two weeks
- 2.) Workers should be given paid leave at their normal pay rate while the facility is thoroughly sterilized
- 3.) All workers are provided with free testing for the virus.
- 4.) When work comes back, Amazonians should be given:
 - 1.5x Hazard Pay,
 - Child Care pay and subsidies
 - No More Rate-Based Write-ups
 - REAL Paid Sick Leave Regardless of Covid-19 Diagnosis

The Inland Empire's number of Covid-19 cases is growing every day, so exponentially that our government is concerned that more people in our communities are going to die if we don't follow these stay at home orders.

We are standing together to stop the spread!

Sincerely,